

November 23, 2011

Postal Regulatory Commission  
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BEFORE THE POSTAL RATE COMMISSION WASHINGTON, DC 20268

In the Matter of:

"Sattley" Calpine/Sattley Post Office, California 96124

Docket No: A2012-22

Debbie and Ken McMaster, Petitioners

PARTICIPANT STATEMENT

Members of the Postal Regulatory Commission:

1. Petitioners are appealing the Postal Service's Final Determination concerning the Calpine/Sattley post office. The Final Determination was posted September 26, 2011.
2. In accordance with applicable law, 39 USC 404(d) (5), the Petitioners request the Postal Regulatory Commission to review the Postal Service's determination on the basis of the record before the Postal Service in the making of the determination.
3. The reasons set out below are why we believe the Postal Service's Final Determination should be reversed and returned to the Postal Service for further consideration. This is added as a supplement to my prior submission:

A) The following document included in the "Sattley" Administrative Record (SAR) appears arbitrary, capricious, an abuse of discretion or otherwise not in accordance with the law is as follows:

- 1) The document appearing at Item Nbr 33 Page Nbr 2 in the SAR:

Is not the document that was posted June 29, 2011; the document that was posted is enclosed as pdf Attachment #1.

At paragraph 1 the document in the SAR states "The Postal Service is proposing to close the Sattley, CA Post Office and provide delivery and retail services by highway contract route service under the administrative responsibility of the **Clio Post Office**, located 13 miles away.

The document that was actually posted June 29, 2011 (see pdf Attachment #1) is as follows: "The Postal Service is proposing to close the Sattley, CA Post Office and provide delivery and retail services by highway contract route service under the administrative responsibility of the **Sierraville Post Office**, located 13 miles away."

I challenge the adequacy of the Postal Service's procedures, and I expressly argue that because the Postal Service's original proposal named Sierraville, and not Clio, that the community was denied a fair opportunity to comment on Clio as the replacement post office. A remand is necessary to give the community the fair comment opportunity it was denied.

(B) The following documents **were not included** as part of the record in the SAR; and therefore appears to be without observance of procedure required by law:

- 1) The inclusion of 88 questionnaires returned by Calpine/Sattley postal patrons was omitted and not part of the SAR. Within the SAR I counted 88 acknowledgement letters from the Postal Service thanking residents for returning the questionnaires dated 9/1/11 in the Record. But, none of the actual "Postal Service Customer Questionnaire" documents that were returned by Calpine residents to the Postal Service are part of the SAR. At Item Nbr 21 Page Nbr 1 of the SAR at paragraph 6 it states, "I invite you to think about a possible change to highway contract route service. Please return the enclosed questionnaire by 05/05/2011 using the pre-addressed envelope provided or at the community meeting.

**Please be aware that, if we formalize a proposal, your questionnaire will become part of an official record and will be available for public viewing."**

At Item Nbr. 23 Page Nbr. 1 of the SAR "Postal Service Customer Questionnaire Analysis" at 1. Number of Questionnaires, "183 distributed, 2 Favorable, 25 Unfavorable, 16 Expressing no opinion, Total received, 43". Again, I counted 88 questionnaire acknowledgement letters that were sent by the Postal Service, but no copies of the actual filled-out questionnaires were included.

2) Hand written notes taken by a postal representative at the May 5, 2011 meeting held in the Calpine Community Hall were not included as part of the SAR. I believe those notes should be included so it could be seen just how responsive the Postal Service was to the community needs of the Calpine residents, and how much was truly understood.

3) My four page letter dated August 24, 2011 that was an accompaniment to the 274 signature petitions was not included as part of the SAR, which is enclosed as pdf Attachment #2. The glaring omission of this document is certainly most egregious, as it went into more detail as to the reasons why we as Calpine residents believed the closure should not happen. It requested another meeting with those making the determination to discuss the actual proposal to use Clio (not Sierraville) as the replacement post office.

At Item Nbr 44 Page Nbr 1 "Log of Post Office Discontinuance Actions", under "6/24/11 Petition received. Number of signatures: 59": there is a handwritten note: "9/1 274 signatures". From pdf page 28-43 in part 3 of the SAR are the actual petitions with 274 signatures, but my August 24, 2011 letter transmitting the petition was not included as part of the SAR.

4) Also not included were numerous letters within the SAR to the Postal Service from Ms. Dolly Chapman and Sierra County Supervisor Mr. Bill Nunes, including letters from other Sierra County Supervisors. I believe Ms. Chapman has already submitted her letters for the record and Mr. Nunes is in the process of submitting the Sierra County letters. If requested I can supply all that I have.

A flagrantly unjustified decision to exclude a relevant document can properly be characterized as an arbitrary or capricious decision. With all that has been omitted, and what mistakes were made with regard to which administrative office was going to become the remanding office; i.e. Sierraville or Clio especially with respect to the final determination; I have to question the reliability of the record.

#### FACTORS TO BE CONSIDERED

##### **Whether customers will receive regular and effective postal service:**

What type of service is the proposal of 6/29/11 truly offering? Nowhere in the proposal is it stated what it is that we are getting. In exact terms, what service does the Postal Service intend to provide?

In looking at another docket (Fairfield, KY Docket #A2012-23) the final decision document stated in the first sentence, "Service will be provided to cluster box units (CBUs)". In looking at this issue and understanding it in more detail, we were always led by the Postal Service to believe we would be receiving our mail in CBUs. But in the 6/29/11 proposal to close it states "provide delivery and retail services by 'highway contract route service'... of the Sierraville Post Office, located 13 miles away.", and the final determination document of 9/26/11 states "provide delivery and retail services by 'highway contract route service'... of the Clio Post Office, located 13 miles away." In both the proposal and final determination documents it mentions "roadside mailboxes or CBUs" not directly on page 1, but on page 2. And, it does not state exactly what we would get, i.e. CBUs or... roadside mailboxes. In the Fairfield, KY final determination, CBUs are clearly stated in the proposal; those residents knew what was being proposed. Are we getting "roadside mailboxes or CBUs" via "contract route service", or something else? Please, this question needs to be answered so the residents of Calpine know just what is being proposed in the final determination.

On the SAR Pt. 1, Page 22 (Page Nbr. 15/Page Nbr:2) Item #11 of the "Post Office Survey Sheet of 3/17/11, "List potential CBU/parcel lockers sites and distances from present Post Office site." The answer

is "Not sure". It appears this determination (CBUs vs. what?) has not as yet been made as far as I can tell, even by those making the final determination. Either that, or there is definitely something here USPS is not disclosing to the postal patrons of Calpine. In any event, the Postal Service fails to meet this standard if this final determination stands, in whatever form it takes.

#### **Whether the decision will produce cost savings:**

At page 25 of Pt. 1 of the SAR (Item Nbr: 17 Page Nbr:2), under "Rural Route Cost Analysis Form" the entire page is filled with zeros. If the determination is to be CBUs, where will they be located, how much will it cost and who will pay for construction and maintenance? Or is the Postal Service forcing us to drive 26 miles round trip to pick up our mail in Clio, or another option?

In the SAR Pt. 2 page 62 "Proposal Checklist" under "Economic Savings", "A one-time expense of \$0 will be/was incurred for installation of CBUs and parcel lockers." On the same page of this document at "Other Factors", "The Postal Service has identified no other factors for consideration (if appropriate)". If as the document says at "Summary", "the need to provide a maximum degree effective and regular service must be paramount", how can we tell what exactly the proposal is, and why was keeping the Calpine Post Office open not a factor to be considered?

I have gone into much detail regarding the lack of consideration on these issues in pdf Attachment 2, and my appeal letter of October 19, 2011 with regard to the reasons I do not believe the Postal Service followed applicable procedures; the effect of the decision on the community; whether customers will receive regular and effective postal service; and whether the decision will produce cost savings.

Among the factors not considered are the **isolation** of this high altitude rural community, with **fall, winter and spring weather conditions driving on winding mountain roads; and if installed, the problem of CBUs** with fall, winter and spring weather in the elements. Particularly for **seniors in our community** who may be without computers or digital communication. Computers are not the be-all that ends-all as we here Calpine as in so many rural areas do not have access to fibre optics, broadband or dsl service: some cannot get satellite or wireless service and have to use the slowest of all, dial-up. Some residents cannot afford even that, being on minimal fixed incomes that barely pay the rent.

With regard to weather, please see the enclosed pictures taken February 24, 2010. I add these enclosed pictures as pdf attachments 3 and 4. We live less than 1/2 mile from the Calpine Post Office at the same elevation. Note in the snowblower picture that it is still snowing. Winters here in the Northern California Sierra Nevada mountains can be and are extremely severe. The Sierra Valley is the largest alpine valley in the country, and snow has been recorded at times from August to June, 11 months of the year. Local mountain legends of renown is the own Postal Services' "Snowshoe Thompson" who is known far and wide from Genoa (Carson City area) Nevada to the south of Calpine, to Quincy California on the north of us, see [http://en.wikipedia.org/wiki/Snowshoe\\_Thompson](http://en.wikipedia.org/wiki/Snowshoe_Thompson). Add to that the infamous Donner Party near Truckee, see [http://en.wikipedia.org/wiki/Donner\\_Party](http://en.wikipedia.org/wiki/Donner_Party). Both had to deal in their own way with the Sierra Nevada mountain winter weather, some to a fatal and gruesome end. Statistics can be acquired as to how severe winter can be here in the Sierra Valley, at times twenty degrees below zero. Oftentimes Calpine is as cold or colder than our most famous "cold" cousin just to the south of us in Truckee, California. See how cold at: <http://answers.yahoo.com/question/index?qid=20101201173459AAIaY4f>.

The last but not least item to be considered, is the effect of the decision on postal employees. This is the human factor which I consider to be very important; especially with such hard economic times, we cannot afford to lose another person who has one of the only jobs here in Calpine. She does her job in an exemplary manner, is professional and courteous - the labour she performs is the same a route carrier would have to do if it was outside filling CBUs with mail, parcels and prescriptions. I do not see a huge difference in a reduction of cost. Our postmistress (not really sure of her title) literally serves as the welcome committee for our little rural hamlet to those not familiar to the area, and as the information center for those of us who do live here. Her name is Ginny, and we love her.

In closing, I apologize in advance if I do not meet the usual format requirements for filed documents, as I am not a lawyer. I am just a citizen of this wonderful little community who believes an injustice has been perpetrated on it. I believe it is my duty as a citizen of the United States to ask for equal and fair treatment under the law. Detailed in this document and in my appeal letter and the letter of August 24

November 23, 2011

Participant Statement

that was omitted by the Postal Service, are the reasons why I believe we as a rural community of the northern Sierra Nevada mountains of California are being treated as second class citizens with the closure of our Calpine/Sattley Post Office.

Respectfully,

Debbie & Ken McMaster  
Residents and post office box holders  
Calpine, California 96124

Enclosures:

pdf Attachment #1 - Proposal to close the Calpine/Sattley Post Office, posted June 29, 2011

pdf Attachment #2 - D. McMaster's letter of introduction to oppose the Calpine/Sattley Post Office closure  
accompanying the 274 signature petitions requesting a meeting with decision makers

pdf Attachment #3 - Photo of Calpine snow storm of February 24, 2011

pdf Attachment #4 - Photo of Calpine snow storm of 2/24/11, snowblower removing snow

## I. RESPONSIVENESS TO COMMUNITY POSTAL NEEDS

The Postal Service is proposing to close the Sattley, CA Post Office and provide delivery and retail services by highway contract route service under the administrative responsibility of the Sierraville Post Office, located 13 miles away.

The postmaster position became vacant when the postmaster retired on July 01, 2009. Since the postmaster vacancy an OIC has been installed to operate the office. Postmaster level and office service hours are determined by a workload analysis which includes the number of deliveries and revenue.

The office is being studied for possible closing or consolidation due to the following reasons: Decline in mail volume. We will continue to provide effective service through the Sierraville Main Post Office.

The Sattley Post Office, an EAS-11 level, provides service from 08:30 - 11:30 - 12:00 - 17:00 Monday - Friday, Closed Saturday and lobby hours of 24/7 on Monday - Friday and 24/7 on Saturday to 165 post office box or general delivery customers and 18 delivery customers. Retail services included the sale of stamps, stamped paper, and money orders; special services such as Registered Mail, Certified Mail, Insured Mail, COD Mail, and Express Mail services; and the acceptance and dispatch of all classes of mail.

The retail window averaged 26 transaction(s) accounting for 32 minute(s) of retail workload daily. With minimal workload, the Postal Service feels that effective and regular service will be provided by highway contract route service. Office receipts for the last 3 years were: \$21,187 ( 55 revenue units) in FY 2008; \$23,233 ( 61 revenue units) in FY 2009; and \$22,097 ( 58 revenue units) in FY 2010. There were one permit mailer(s) or postage meter customer(s).

On May 05, 2011, representatives from the Postal Service were available at the Sattley Post Office to answer questions and provide information to customers. 72 customer(s) attended the meeting.

On April 18, 2011, 183 questionnaires were distributed to delivery customers of the Sattley Post Office. Questionnaires were also available over the counter for retail customers at the Sattley Post Office. 43 questionnaires were returned. Responses regarding the proposed alternate service were as follows: 2 favorable, 25 unfavorable, and 16 expressed no opinion.

A petition supporting the retention of the Sattley Post Office was received on June 24, 2011, with 59 signatures. If this proposal is implemented, delivery and retail services will be provided by the Sierraville Post Office, an EAS-11 level office. Window service hours at the Sierraville Post Office are from 8:30 am to 4:30 pm, Monday through Friday, and 9:30 am to 11:30 pm on Saturday. There are 182 post office boxes available.

Retail service is also available at the Clío Post Office an EAS-13 level office, located six miles away. Window service hours at Clío Post Office are from 7:45 am to 1:15 pm 2 pm to 4 pm, Monday through Friday and closed on Saturday. There are 174 post office boxes available for rent.

The following concerns were expressed from questionnaires, the community meeting, from customer letters, on the petition, and from the congressional inquiry:

1. **Concern:** Customers expressed concern over the apparent lack of interest by the Postal Service for the needs of the community.

**Response:** The Postal Service is required to provide each community with regular and effective service, using the most cost efficient means possible. The proposed alternate delivery service will meet the mailing and service needs of the community in a more cost effective manner.
2. **Concern:** Customers expressed concern over the dependability of rural route service.

**Response:** Rural letter carriers perform a vital function in the United States Postal Service serving thousands of families and businesses in rural and suburban areas while traveling millions of miles daily. Rural letter carriers are highly respected by the American public. This respect has been earned by many years of dedication to the Postal Service and to postal customers. During national and local emergencies, including prolonged periods of extreme weather conditions, rural carriers have demonstrated great responsibility in providing mail service to postal customers. Rural carriers are required to serve the route expeditiously each day.
3. **Concern:** Customers were concerned about having to travel to another post office for service.

**Response:** The customer expressed a concern about having to travel to another post office for service. Services provided at the post office will be available from the carrier, and customers will not have to travel to another post office for service. Most transactions do not require meeting the carrier at the mailbox. Stamps by Mail and Money Order Application forms are available for customer convenience.

Loretta Kirkpatrick  
Manager Consumer Affairs  
1001 E Sunset Rd.  
Las Vegas, NV 89199-9655

August 24, 2011

Dear Ms. Kirkpatrick,

Enclosed with this letter are 274 "Petition to oppose the Calpine/Sattley post office closure" signatures that have been gathered, in opposition response to the "Invitation for comments on the closure proposal to close the "Sattley, CA" post office and extend service by Highway Contract Route Service".

First of all, please correct your records as the "Sattley, CA" post office was closed years ago and was consolidated with the Calpine post office. It is now the Calpine/Sattley, CA post office and is truly a community center, the heart of our town.

We disagree with this proposal as it does not address the issue of Calpine being in a geographically isolated area with risky travel conditions especially in winter, to services rendered exclusively by the United States Postal Service (USPS), when those services already exist at the current Calpine/Sattley post office location.

As stated in the RESPONSIVENESS TO COMMUNITY POSTAL NEEDS at paragraph 3, "We will continue to provide effective service through the Sierraville Main Post Office"; and at paragraph 8, "If this proposal is implemented, delivery and retail services will be provided by the Sierraville Post Office, an EAS-11 level office." The Sierraville Post Office is nearly 20 miles round trip from Calpine. The Sierra Valley is located at 5000' Elevation and is the largest Alpine Valley in the country, with wind, rain and snowstorms occurring frequently from Fall through Spring.

If Calpine residents were to have to drive to Sierraville to access services rendered exclusively by USPS, this would pose a risk; especially in winter having to deal with the Sierra Valley snowstorms and drifting snow along the roadway. In an article posted on msnbc.com, "an elderly man died on snow-covered roads driving to the next closest post office 17 miles away". The link is as follows:

[http://www.msnbc.msn.com/id/35261157/ns/us\\_news-life/t/post-office-closings-upset-rural-communities/#](http://www.msnbc.msn.com/id/35261157/ns/us_news-life/t/post-office-closings-upset-rural-communities/#).

This is not a well thought out proposal, and would be particularly risky driving for our seniors who may not have a computer or the capability of computer skills or even internet access to pay bills online, etc. Rarely do I pay bills online, only if the payment might not be received in time by mailing it. This closure would also put more vehicles on the road vs. one USPS mail carrier, which would have to deliver to the Calpine proposed cluster boxes anyway. In the worst economy of our lifetime and with gasoline prices so high in addition to more air pollution from added vehicles on the roadway, this proposal is ill-conceived.

The proposal document also states at paragraph 9, "Retail service is also available at the Clio post office an EAS-13 level office, located six miles away". Please note that Clio is eleven miles one way, from Calpine over Calpine Summit; nearly double the mileage as stated in the document.

In addition, new information has been obtained regarding the Sierraville post office; that it is on an "Expanded Access Study List" for closure. This new information was not listed on the June 29, 2011 "Proposal to Close the "Sattley, CA" Post Office". The public meeting regarding the Sierraville closure has been scheduled for September 15, 2011 per David Rupert, USPS Communications in Denver CO.

According to Mr. Rupert, USPS is exploring the possibility of delivering mail to Calpine via a delivery route out of Clio; if the Sierraville Post Office is closed. This new information is an even worse idea as that would put Calpine residents at even more risk by driving twenty two miles round trip from Calpine (elevation 5000') over Calpine Summit (elevation 5500') to Clio (elevation 4500') to access services already being rendered in Calpine, as that infrastructure is already in place. The area between Calpine and Clio is also a major deer migration area. Again, more vehicles on the road vs. one USPS delivery vehicle. Calpine Summit is a very winding road and can be treacherous in winter with numerous wintertime accidents.

Mr. Rupert also noted a need for Congressional action: An authorization to move from a six day to five day delivery and the elimination of USPS's requirement to pre-fund the next 75 years of retiree health benefits in just 10 years.

The Clio post office is only three miles away from the Graeagle post office and both are at the same elevation located within the Mohawk Valley. I also understand it is very costly to run the Clio post office. We are not proposing USPS close the Clio post office because of it's close proximity to Graeagle. But it just doesn't make sense for Calpine residents to have to drive 22 miles round trip over Calpine Summit and down to Clio for services rendered exclusively by USPS when the Calpine post office already exists!

Not to mention the added expense of building and maintaining outdoor cluster boxes on Sierra County property and the added inconvenience and stress it poses for residents. Particularly seniors attempting to get to an outdoor cluster box picking up mail and medications in icy conditions, especially in inclement weather. Sierra County has even proposed reducing the rent to USPS. I for one would be more than willing to pay a rental fee for a box if that would help keep our post office open, and I know other residents would be willing also. And what about packages too big for a cluster box, what happens with those packages; would a Calpine resident have to drive 22 miles to Clio to pick up a package? Also not mentioned is the fact that resident's mailing addresses will change, and to what end? Will we also lose our ZIP Code if the Calpine office closes? Confusing the situation even more for everyone involved, and these questions go unanswered.

In an article about the USPS closures Renee Brown who coordinated the Calpine meeting, callously stated about the Calpine closure "there were no other retail businesses open, so most people made regular 'trips to town' anyway". What town was she talking about, Sierraville? Clio? When I make a "trip to town" for shopping I go to Reno, Nevada once a month or less. That is an hour away, two hours round trip - I go to the Calpine post office frequently.

In that same article, a statement reads about the Oroville NV post office, "It was later determined that the office would remain open, thanks to community input and a review of options". We request that common sense prevails here also and the same determination be made for the Calpine post office, that it remain open.

I have a small business and use the Calpine post office exclusively for buying stamps, mailing bills, letters and insured parcels, registered parcels and certified mail, express mail, items I have to sign for and picking up mail at my box. There are at least 17 small businesses within the Calpine area that use USPS at the Calpine post office.

And why are rural towns such as Calpine being specifically targeted? According to a Wall Street Journal article located at <http://online.wsj.com/article/SB10001424053111903999904576467921947248738.html>, Postmaster General Patrick Donahoe stated, "In many cases, the brick-and-mortar post office will change rather than vanish. Under a new "village post office concept," the postal service will seek deals with grocery stores or gas stations in towns that are losing a post office to provide limited postal services." Well, the USPS proposal eliminates the Calpine post office - we do not even have a grocery store or a gas station.

Current Law created by an act of Congress states (emphasis added):

#### TITLE 39--POSTAL SERVICE

##### PART I--GENERAL

##### CHAPTER 1--POSTAL POLICY AND DEFINITIONS

##### Sec. 101. Postal policy

(a) The United States Postal Service shall be operated as a basic and fundamental service provided to the people (Note: the people is inclusionary, not exclusionary) by the Government of the United States, authorized by the Constitution, created by Act of Congress, and supported by the people. The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons in **all areas** and shall render postal services to all communities. The costs of establishing and maintaining the Postal Service shall not be apportioned to impair the overall value of such service to the people.

(b) The Postal Service shall provide a maximum degree of **effective** and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining. No small post office shall be closed **solely** for operating at a deficit, it being the specific intent of the Congress that effective postal services be insured to residents of **both** urban and rural communities.

Closing rural post offices which account for less than 1 percent of USPS's annual budget expenses, is not the answer. Quoting from a postal publication, "It is a known fact that 92 percent of all post offices lose money". The savings are minimal both short term and long term, especially when considering all the costs of closing an office. In some cases, guidelines are not being followed, very little information shared, the process is being rushed and we have a mess. The seven largest postal Areas in this country cost twice as much to run as the 10,000 smallest post offices. An individual small post office was never established to make money. It was established to provide the same universal mailing service to everyone, equal justice under the law. We are not second-class citizens; we deserve access to the postal services that urban areas enjoy.



In light of the new information that the Sierraville Post Office may now be closed, we request an extension of the comment period, especially when regarding there are no appeal rights for stations and branches after the decision is made. The petition specifically requests an additional meeting with the decision makers so they can see first hand geographically what the small rural town of Calpine is dealing with if our post office closes.

In closing, local small town post offices are the lifeblood of communities such as ours; they serve the needs of and are the backbone of rural America. They are an integral part of the social, political and economic fabric of small communities. Closing the Calpine post office would do great harm to the residents of this small town; it would be another death knell to our community and will hurt attracting those that might like to live or do business here, particularly in these economically hard times. The post office binds the community and the nation together. Perhaps USPS can close an urban Post Office where mileage, weather and geographic isolation are not such issues; or cut an employee in Reno or Las Vegas.

Sincerely,

Debbie and Ken McMaster  
Residents and post office box holders  
Calpine, CA 96124

cc: Postmaster General Patrick Donahoe, USPS  
Congressman Tom McClintock, 4th District California  
Igor Birman, Congressman McClintock's Chief of Staff  
Tim Holabird, Congressman McClintock's Sierra County Field Representative  
Doug Watson Manager, Post Office Operations/A Reno NV  
Renee Brown Manager, Post Office Operations Las Vegas NV  
Terry Felix, Facilities Requirements Specialist Las Vegas NV  
David Rupert USPS Communications, Denver CO  
Sierra County Supervisor Bill Nunes







